

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JAMAE’L L. REED,

Plaintiff,

v.

LT. TERRY, *et al.*,

Defendants.

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No. 5:20-cv-00175-MTT-CHW

ORDER OF DISMISSAL

Plaintiff Jamae’l L. Reed, a prisoner in the Bibb County Law Enforcement Center in Macon, Georgia, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983. Compl., ECF No. 1. Plaintiff also filed a motion for leave to proceed in this action *in forma pauperis*. Mot. for Leave to Proceed *In Forma Pauperis*, ECF No. 2. Thereafter, Plaintiff was ordered to file a certified trust fund account statement and to recast his complaint. Order, ECF No. 6. Plaintiff was given twenty-one days to comply and was cautioned that his failure to do so could result in the dismissal of this action. Plaintiff did not comply with that order, which was returned to the Court as undeliverable. Mail Returned, ECF No. 7.

Thereafter, a new order was entered granting Plaintiff leave to proceed *in forma pauperis* and again directing Plaintiff to file a recast complaint. Order, ECF No. 8. The order noted that the previous order had been returned and directed Plaintiff that his failure to keep the Court apprised of his current address would result in the dismissal of this action. Nevertheless, Plaintiff has not filed any updated address, and the new order, which was

sent to Plaintiff at the Bibb County Law Enforcement Center, the only address on file for Plaintiff, has also been returned to this Court as undeliverable. Plaintiff's failure to keep the Court apprised of his current address constitutes a failure to prosecute this case, and insofar as this Court has no information as to Plaintiff's current whereabouts, this action may not proceed.

To date, Plaintiff also still has not filed a recast complaint. Thus, because Plaintiff has failed to respond to the Court's orders to recast and has otherwise failed to prosecute his case, it is hereby **ORDERED** that Plaintiff's complaint be **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (per curiam) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this 7th day of October, 2020.

S/ Marc T. Treadwell
MARC T. TREADWELL, CHIEF JUDGE
UNITED STATES DISTRICT JUDGE